



**NYE COUNTY
BOARD OF COMMISSIONERS MEETING
101 Radar Rd, Tonopah NV 89049
MONDAY, January 7, 2013
10:00 AM**

**Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
Butch Borasky, Commissioner
Frank Carbone, Commissioner
Donna Cox, Commissioner
Sandra "Sam" L. Merlino, Ex-officio Clerk of the Board**

NOTE: All items are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Items on the agenda without a time designation may be taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. Items on the agenda without a time designation may not necessarily be considered in the order in which they appear on the agenda. **NOTICE: It is anticipated that the items of business before the Board of Commissioners on January 7, 2013 will be fully completed on that date. However, should item(s) not be completed, it is possible item(s) could be carried over and be heard before the Board of Commissioners beginning at 8:30 a.m. on the next day.**

Public Comment during the Commission Meeting on January 7, 2013 will be for all matters, both on and off the agenda, and be limited to three minutes per person. Additionally, public comment of three minutes per person will be heard during individual action items. The Commission reserves the right to reduce the time or limit the total time allowed for public comment. The Commission may prohibit comment if the content of the comments is a topic that is not relevant to, or within the authority of, the Commission, or if the content of the comments is willfully disruptive of the meeting by being irrelevant, repetitious, slanderous, offensive, inflammatory, irrational or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on that item at the Commission meeting.

Pursuant to NRS 241.020, the Agenda for the Commission Meeting has been posted at the following locations. Tonopah Convention Center, 301 Brougner Avenue, Tonopah, NV; U.S. Post Office, 201 Erie Main St., Tonopah, NV; Commissioners' Meeting Room, 101 Radar Road, Tonopah, NV; District Court, 101 Radar Road, Tonopah, NV; The Ian Deutch Government Complex, 1520 East Basin Road, Pahrump, NV; Commissioners' Chambers, 2100 E. Walt Williams Drive, Pahrump, NV; Beatty Community Center, 100 A Avenue South Beatty, NV

Support documentation for the items on the agenda, provided to the Nye County Board of Commissioners is available to members of the public at the County Manager's Office (101 Radar Road, Tonopah, Nevada & 2100 E. Walt Williams Drive, Pahrump, Nevada) and on the County's website.

WEBSITE: www.nyecounty.net
The Nye County Board of Commissioners may take a short break every 1 ½ hours.

In accordance with Federal law and U.S. Department of Agriculture policy, Nye County is prohibited from discriminating on the basis of race, color, national origin, sex, religion, age, or disability. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider, employer, and lender
"Communication for Hearing Impaired: Dial Nevada Relay Service 711 or for Voice to TTY (800) 326-6888 or TTY to Voice (800) 326-6868"

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

ITEM #	SUBJECT
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January 7, 2013

Lorinda Wichman, Chair
Dan Schinhofen, Vice-Chair
Butch Borasky, Commissioner

Frank Carbone, Commissioner
Donna Cox, Commissioner
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

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Special Note: Any member of the public who is disabled and requires accommodation or assistance at this meeting is requested to notify the Nye County Manager's Office in writing or call 775-482-8191 prior to the meeting.

Please note: Blue text that is underlined indicates items are linked to supporting documentation

NYE COUNTY BOARD OF COMMISSIONERS

- 1 Pledge of Allegiance
- 2 For Possible Action - Approval of the Agenda for the Board of County Commissioners' meeting of January 7, 2013.
- 3 GENERAL PUBLIC COMMENT (Three-minute time limit per person.) Action will not be taken on the matters considered during this period until specifically included on an agenda as an action item (first).

NOTICE OF TIMED AGENDA ITEMS

- 10:00 a.m. Presentation of certificate and/or plaques to four (4) employees honored for their years of service:
- 10:15 a.m. Recess to the Nye County Board of Road Commissioners (Agenda Attached)
- 10:30 a.m. Recess to the Nye County Licensing and Liquor Board (Agenda Attached)
- 10:45 a.m. For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Bill No. 2012-19: a Bill proposing to amend Nye County Code Title 19, Beatty, by amending Chapter 19.04 Section 19.04.050 regarding appointment and removal of the fire chief, Section 19.04.110 records and reports, Section 19.04.130 badges, Section 19.04.140 insignia and Section 19.04.250 empowerment; and other matters properly relating thereto.

NYE COUNTY BOARD OF COMMISSIONERS

- 4 Election of Officers
 - a. Action – Election of Chair of the Board of Commissioners.
 - b. Action – Election of Vice-Chair of the Board of Commissioners.
- 5 For Possible Action – Discussion and deliberation of Minutes of the Board of County Commissioners' meeting(s) for: October 2, 2012; October 16, 2012; and November 9, 2012.
- 6 Awards and Presentations – 10:00 Timed Item
- 7 Announcements (first)

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8 For Possible Action - Emergency Items

9 Commissioners'/Manager's Comments (This item limited to announcements or topics/issues proposed for future workshops/agendas)

10 Consent Agenda Items

- a. For Possible Action – Discussion of any item from the Consent Agenda Items that needs review before a decision is made.
- b. [For Possible Action](#) – Approval of Elected Official Collection Report
- c. For Possible Action – Approval of Assessor’s Office Change Request – N/A
- d. [For Possible Action](#) – Approval of Personnel Actions
- e. [For Possible Action](#) – Approval to pay one (1) Medical Indigent inpatient hospital bill.
- f. [For Possible Action](#) – Approval regarding a modification to the contract with Department of Energy to provide services to NNSA/NSO.
- g. [For Possible Action](#) – Approval of a Nye County Proclamation No. 2012-03: A Proclamation Recognizing January 2013 as Radon Action Month.
- h. [For Possible Action](#) – Approval to select Motorola Solutions as the lowest most responsible and responsive quote to purchase two Motorola MTR 3000 Base Station Radios.
- i. [For Possible Action](#) – Approval of a GIS Cooperative Agreement between Nye County and State of Nevada, acting by and through its Department of Agriculture for the purpose of exchanging and sharing of non-proprietary and non-sensitive raster and vector GIS data and parcel datasets.

PUBLIC OFFICIALS

11 Assessor

12 Board of Commissioners

- a. For Possible Action – Closure of meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
- b. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the County’s management representatives regarding labor negotiations, issues and other personnel matters.
- c. For Possible Action – Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting.
- d. [For Possible Action](#) – Appointment of Commissioner liaison / representatives with:
 1. Nevada Association of Counties (NACO)
 2. Pahrump Regional Planning Commission and one alternate
 3. Nye County Park and Recreation Advisory Board
 4. Nevada Public Agency Insurance Pool/Public Agency Compensation Trust

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5. Regional Transportation Committee (RTC)
6. Nuclear Waste Issues
7. Tri-County Working Group
8. Tri-Party Formal Interaction Agreement Working Group (Northern Nye)
9. Tri-Party Working Group (Southern Nye)
10. Capital Improvements Advisory Committee
11. Amargosa Valley Conservancy Coordination Group formally the 4-County Regional Forum
12. Nye County Jails – Needs Assessment – Inspection North and South
13. Local Emergency Planning Committee (LEPC)
14. Nevada Business Services (NBS)
15. Southern Nevada Workforce Investment Board (SNWIB)
16. Public Utilities Commission
17. Quad State County Government Coalition
18. Central Nevada Regional Water Authority
19. Legislative Issues
20. US Dept. of Energy Nevada Site Specific Advisory Board
21. Nye County Water District Governing Board
22. United Way of Nye County
- e. [For Possible Action](#) – Discussion and deliberation to enter into a contract for deed to purchase the building currently leased by the Tri-County Weed Control Board.
- f. [For Possible Action](#) – Discussion and deliberation regarding a request to: 1) set a date, time and location for a Public Hearing on Nye County Bill No. 2012-23: a Bill proposing to amend Title 15 Chapter 15.32 Article I sections 15.32.080 through 15.32.100 of the Nye County Code related to impact fees within the Pahrump Regional Planning District, by placing a one-year moratorium on the imposition of impact fees and allowing developers to pay impact fees through extended payment agreements; and other matters properly relating thereto; and 2) reading of the title of bill into record.

13 Clerk

- a. [For Possible Action](#) – Discussion and deliberation to appoint two (2) members to the Capital Improvements Advisory Committee due to three (3) expiring terms.

14 District Attorney

15 Recorder

16 Sheriff

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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17 Treasurer

- a. [Treasurer's](#) Report

18 Justice(s) of the Peace

19 District Court

20 Juvenile Probation

GENERAL NYE COUNTY ADMINISTRATIVE STAFF

21 County Manager

- a. [For Possible Action](#) – Discussion and deliberation to approve an Intralocal Contract with the Nevada Department of Business & Industry for Nye County to inspect and conduct the required tests for the installation of all manufactured/mobile homes and commercial coaches.
- b. [For Possible Action](#) – Discussion and deliberation to: 1) ratify the County Manager's selection of Assistant County Manager; and 2) approve a contract with Joni Eastley as Assistant County Manager.

22 Emergency Services

23 Facilities

24 Finance

- a. [Budget](#) to Actual Expenditure Analysis
- b. [Budget](#) to Actual Revenue Report
- c. [Budget](#) to Actual Fund Balance Report

25 Health & Human Services

26 H/R and Risk Management

27 Information Technology

28 Nuclear Waste Repository Project Office

- a. [For Possible Action](#) – Discussion and deliberation for Nye County to take the lead in coordinating with southern Nye County local governments, the Nye County School District and with the Valley Electric Association to develop a better understanding of the cost/benefit of a Nye County Hoover Power Allocation and develop a framework to meet the requirements of an allocation application.
- b. [For Possible Action](#) – Discussion and deliberation to increase the not to exceed (NTE) amount of the services performed by Robert M. Andersen in the mandamus action filed in the United States Court of Appeals for the DC Circuit.

29 Planning/Building

30 Public Administrator

31 Public Works

NYE COUNTY BOARD OF COMMISSIONERS AGENDA

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32 Senior Services

OTHER BUSINESS

33 Town Boards/Town Advisory Boards

34 Public Petitioners

- a. [For Possible Action](#) – Presentation, discussion and deliberation regarding legislation in various western states for the transfer of public lands and membership to American Lands Council.
- b. [Presentation](#) by WestCare, NV, Inc regarding no cost to the client, counseling related to substance abuse, mental health or other co-occurring issues to the rural communities.

35 GENERAL PUBLIC COMMENT (second)

36 ANNOUNCEMENTS (second)

37 ADJOURNMENT

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AGENDA NYE COUNTY BOARD OF ROAD COMMISSIONERS

101 Radar Rd, Tonopah NV 89049
MONDAY, January 7, 2013

10:15 A.M.

Dan Schinhofen, Chair
Lorinda Wichman, Vice-Chair
Butch Borasky, Member

Frank Carbone, Member
Donna Cox, Member
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

NOTE: All times are approximate except for public hearings and any other items agendized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order.

1. GENERAL PUBLIC COMMENT (Three-minute time limit per person and requested to be limited to items not listed on the agenda. No action will be taken by the Board.)

NOTICE OF TIMED AGENDA ITEMS

- 10:15 For Possible Action – Public Hearing, discussion and deliberation to adopt, amend and adopt, or reject Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way for the following:

Mountain View Canyon Road No. 955250	Easy Chair Crater Road No. 955540
West Blue Jay Spring Road No. 955255	Lunar Crater Well Road No. 955545
Blue Jay Well Road No. 955260	Rawhide Springs Road No. 956555
Sandy Summit Road No. 955505	Cockalorum Wash Road No. 951900
Sandy Summit Spring Road No. 955525	Borrow Pit Road No. 956560
West Little Lunar Cuesta Road No. 955530	Buckwheat Rim Road No. 956905
Little Lunar Crater Cuesta Road No. 955535	Mt. Moriah Cemetery Road No. 984360

2. Election of Officers
 - a. Action – Election of Chairperson of the Board of Road Commissioners.
 - b. Action – Election of Vice – Chairperson of the Board of Road Commissioners.
3. For Possible Action - Discussion and deliberation of Minutes for the Nye County Board of Road Commissioners' meeting(s) for: October 2, 2012; October 16, 2012; and November 9, 2012.

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4. [For Possible Action](#) - General road report by Public Works Director
5. [For Possible Action](#) – Discussion and deliberation to set a date, time, and location for a public hearing on Nye County Road Commission Resolutions establishing County public roads pursuant to Nevada Revised Statutes 405.191, 403.170 and R.S. 2477 Right-of-Way on the following:

North Mosquito Creek Road No. 973900	Old Mosquito Creek Road No. 973910
South Moonshine Peak Road No. 962510	West Mosquito Creek Road No. 973920
South Seven Mile Road No. 962515	House Canyon Cutoff Road No. 974555
Seven Mile Wash Well Road No. 962520	North Wattles Spring Road No. 974560
North Stargo Road No. 962525	Barley Connector Road No. 974565
6. Adjourn

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AGENDA NYE COUNTY LICENSING AND LIQUOR BOARD

101 Radar Rd, Tonopah NV 89049
MONDAY, January 7, 2013

10:30 A.M.

Butch Borasky, Chair
Lorinda Wichman, Member
Dan Schinhofen, Member
Frank Carbone, Member

Donna Cox, Member
Tony DeMeo, Member
Sandra "Sam" Merlino, Ex-Officio Clerk of the Board

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1. GENERAL PUBLIC COMMENT (Three-minute time limit per person and requested to be limited to items not listed on the agenda. No action will be taken by the Board.)
2. Election of Officers
 - a. Action – Election of Chairperson of the Nye County Licensing and Liquor Board.
 - b. Action – Election of Vice-Chairperson of the Nye County Licensing and Liquor Board.
3. [For Possible Action](#) - Discussion and deliberation of Minutes for the Nye County Licensing and Liquor Board meeting(s) for: October 2, 2012; October 16, 2012; and November 9, 2012.
4. **Consent Agenda Items**
5. Brothel
6. Gaming
 - a. [For Possible Action](#) - Discussion and deliberation to issue a Gaming License to Jett Gaming LLC, slot route operator out of Las Vegas providing slot machines to various locations in Nye County.
7. Liquor
 - a. [For Possible Action](#) - Discussion and deliberation to issue a Retail Liquor License to 4G Golf Management dba Mountain Falls Golf Club, 5001 S. Clubhouse Drive Pahrump, NV.

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- b. [For Possible Action](#) - Discussion and deliberation to issue a Retail Liquor License to El Cancun Mexican & Seafood Restaurant, 1330 E. Fifth Street Pahrump, NV.
- c. [For Possible Action](#) - Discussion and deliberation to issue a Package Liquor License to Super 7 Tonopah Inc dba Super 7 Tonopah, 212 N. Main Street Tonopah NV.
- d. [For Possible Action](#) - Discussion and deliberation to issue a Beer & Wine License to AJ's Adventures LLC dba The Dragon's Cloud Hookah Lounge, 3370 S. Hwy 160 Suite 8 Pahrump, NV.

8. Adjourn